

**Wittels
McInturff
Palikovic**

August 16, 2024

Via ECF

The Hon. Andrew E. Krause
United States District Court
300 Quarropas St.
White Plains, NY 10601

Re: *Cap 111 Enters. LLC v. Manhattan Beer Distrib., LLC*, No. 22 Civ. 1408 (CS) (AEK)

Dear Judge Krause,

The parties write to advise the Court that following a second private mediation they have executed a Memorandum of Understanding regarding the key terms of a class action settlement of the above-captioned action.

Accordingly, the parties hereby request pursuant to Local Civil Rule 7.1(d), and Your Honor's Individual Rule 1.D, that the Court extend the stay in this action for an additional sixty (60) days while the parties undertake the process of finalizing a written class action settlement agreement, selecting a settlement administrator and designing a notice plan, and preparing the papers needed to present the settlement to the Court for preliminary approval and authorization of a notice plan.

In accordance with Your Honor's Individual Rule I.D, the only specific deadline the parties seek to extend is the current stay the Court entered on July 17, 2024. This is the parties' first request for a stay pending finalization of a settlement agreement and preliminary approval motion practice. All parties consent to the requested stay.

Thank you for the Court's consideration of this request.

Respectfully Submitted,

/s/ J. Burkett McInturff

J. Burkett McInturff

*Counsel for Plaintiffs and the
Proposed Class*

cc: All Counsel of Record (*via ECF*)